

House Bill 504

By: Representatives Wilkinson of the 52<sup>nd</sup>, Cooper of the 41<sup>st</sup>, Mitchell of the 88<sup>th</sup>, Mayo of the 91<sup>st</sup>, Henson of the 87<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

To amend Article 3 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to hazardous waste, so as to provide for disposition of certain medical sharps waste; to provide for supply and use of sharps waste containers; to provide a penalty; to define certain terms; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 3 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to hazardous waste, is amended by adding a new part to read as follows:

"Part 3

12-8-100.

(a) As used in this Code section, the term:

(1) 'Household use' means use in a setting other than a medical office, hospital, or similar setting.

(2) 'Individual-generated sharps waste' means hypodermic needles, pen needles, intravenous needles, lancets, and other devices that are used to penetrate the skin for the delivery of medications which are derived from the household use of intravenous medications.

(3) 'Intravenous medication' means any medication deliverable through the use of hypodermic needles, pen needles, intravenous needles, lancets, or other devices that are used to penetrate the skin.

(4) 'Sharps waste container' means a hard plastic or other impenetrable container approved by the director, designed for the containment of individual-generated sharps waste, and clearly labeled with a notice containing the universal recycling symbol and the following language: 'SHARPS WASTE CONTAINER.'

(b) Individual-generated sharps waste placed in a sharps waste container shall not be considered hazardous waste, hazardous constituents, or designated hazardous waste under this article and shall not be regulated under this article except as provided in this Code section.

(c) Upon the sale of any intravenous medication intended for household use, the seller of the intravenous medication shall supply the purchaser of such intravenous medication with a sharps waste container sufficient for the disposal of the amount of individual-generated sharps waste reasonably likely to result from the purchase of such medication.

(d) All costs associated with the manufacture, distribution, and sale of sharps waste containers shall be borne by the manufacturer of the intravenous medication.

(e) No person shall knowingly place individual-generated sharps waste not contained in a sharps waste container in any of the following:

(1) Any container used for the collection of solid waste, construction or demolition debris, green waste, or other recyclable material;

(2) Any container used for the commercial collection of solid waste, construction or demolition debris, green waste, or other recyclable materials;

(3) Any roll-off container used for the collection of solid waste, construction or demolition debris, green waste, or other recyclable materials; or

(4) Any other bag, receptacle, or vessel used for the collection of solid waste, construction or demolition debris, green waste, or other recyclable materials.

Failure to comply with this subsection shall be a misdemeanor."

## **SECTION 2.**

This Act shall become effective on the first day of the month following the month in which it is approved by the Governor or in which it becomes law without such approval.

## **SECTION 3.**

All laws and parts of laws in conflict with this Act are repealed.